

Relief Requested without Hearing

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MAINE**

In re:

CHARLES J. DHYSE,

Debtor

Chapter 13

Case No. 14-10869

**APPLICATION FOR AUTHORITY TO EMPLOY BERNSTEIN SHUR SAWYER &
NELSON, P.A., AS SPECIAL COUNSEL TO THE DEBTOR**

NOW COMES Charles J. Dhyse (the “Debtor”), by and through his counsel, James F. Molleur, Esq., and respectfully states as follows:

1. On November 6, 2014, the Debtor filed a Chapter 13 bankruptcy.
2. The Debtor wishes to employ Bernstein Shur Sawyer & Nelson, P.A. (“BSSN”), and in particular, Jessica A. Lewis, Esq., an attorney licensed to practice in the State of Maine, to represent him as special counsel in the following three adversary proceedings pending in this Court, Ronald R. Recht v. John M. Powell, et al., Case No. 15-01007, John M. Powell, et al. v. Charles J. Dhyse, Case No. 15-01002 and John M. Powell, et al. v. Charles J. Dhyse, et al., Case No. 15-01012 (collectively, the “Adversary Proceedings”).

3. Until recently, Ms. Lewis was employed by Molleur Law Office (“MLO”) where she represented the Debtor both in connection with the Adversary Proceedings and his underlying chapter 13 bankruptcy case. Although a number of MLO attorneys and paralegals assisted in the bankruptcy case, the Adversary Proceedings were primarily handled by Ms. Lewis. Moreover, the

Adversary Proceedings arise out of pre-petition litigation, during which Mr. Dhyse was represented by Glenn Israel, a shareholder at BSSN.

4. Ms. Lewis left MLO to join BSSN on July 29, 2015. In light of Ms. Lewis familiarity with the Adversary Proceedings, and Mr. Israel's familiarity with the pre-petition litigation, the Debtor wishes to retain BSSN and, specifically, Ms. Lewis to represent him in the Adversary Proceedings and to advise MLO with respect to any confirmation issues which might be impacted by, or relate to, the Adversary Proceedings.

5. Specifically, the professional services that BSSN is to render include:

- a. Negotiate with the chapter 13 trustee and interested and opposing parties regarding the claims at issue in the Adversary Proceedings;
- b. Appear at hearings, status conferences and other court proceedings scheduled in the Adversary Proceedings;
- c. Prepare motions, responses, memoranda of law, answers, counterclaims and other documents to be filed with the Court in connection with the Adversary Proceedings;
- d. Attend, defend and take depositions scheduled in the Adversary Proceedings; and
- e. Advise MLO and Mr. Dhyse with respect to any confirmation or other proceedings in the underlying bankruptcy case which might be impacted by, affect or otherwise relate to the Adversary Proceedings.

6. BSSN and Jessica A. Lewis have agreed to represent the Debtor in the adversary proceedings and have not requested a retainer for work in the adversary proceedings. Moreover, BSSN has agreed to waive any balance owed by Mr. Dhyse for pre-petition legal services rendered to Mr. Dhyse by that firm.

WHEREFORE, the Debtor requests he be authorized to employ, Bernstein Shur Sawyer & Nelson, P.A. and in particular, Jessica A. Lewis, on the terms and conditions set forth in this

Application, and that the Court grant such other and further relief as this Court deems just and proper.

Charles Dhyse

Date: 09/03/2015

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